

## **Justification for Other Than Full and Open Competition for Additional Effort on Contract NNG06CA54C**

### **1. Agency and Contracting Activity.**

NASA Goddard Space Flight Center (GSFC) proposes to extend the period of performance of the General Mission Analysis Tool contract, NNG06CA54C (Thinking Systems, Inc) by 3 months and 20 days. This contract supports GSFC's Flight Dynamics Analysis Branch (Code 595). The GMAT contract is a cost plus fixed fee contract with a 2-year and 8-month period of performance and a total value of \$402,933.00 (\$369,833.00 cost/\$33,100.00 fee).

### **2. Nature of Action being Approved.**

On May 24, 2009, the GMAT contract will reach the end of the current 2-year and 8-month period of performance. The current contractor is Thinking Systems, Inc. The intent of this acquisition is to extend the existing period of performance of the contract and increase the total cost plus fixed fee value to allow for uninterrupted performance.

There is an impending competitive Flight Dynamics Support Services (FDSS) procurement that intends to absorb all GMAT work. The aforementioned FDSS procurement will not be complete before August 2009 which necessitates the GMAT work continues for an additional 3 months and 20 days under the current contract. The extension coincides with the time required to complete the FDSS procurement and allow for sufficient transition time for the GMAT work. The current contemplated procurement will extend the original 2-year and 8-month period of performance to a 2-year, 11 months, and 20 day period of performance. The total period of performance of the contract will be from September 25, 2006 through September 13, 2009. The total value of this extension is estimated at \$[REDACTED].

### **3. Description of Supplies/Services Being Acquired**

The contractor will perform services on the following:

- A. GMAT Mathematical Specifications Document
- B. GMAT Architectural Specifications Document
- C. Support for Implementation, Validation, Verification, and Testing

The total estimated cost plus fixed fee for the 3 month and 20 day extension is \$[REDACTED] per the Government's in-house estimate. It is therefore estimated that the total final negotiated contract value will be approximately \$[REDACTED].

**4. Statutory Authority.** The statutory authority permitting other than full and open competition of this procurement is the Federal Acquisition Regulation (FAR) **6.202-1, Only one responsible source and no other supplies or services will satisfy agency requirements**, citing 10 U.S.C. 2304(c)(1), Only One Responsible Source.

## 5. Rationale Supporting Use of the Authority.

In this section, the use of the sole source authority is justified:

- A. GSFC is actively working on an FDSS competitive procurement which intends to absorb all GMAT activities. The extension of NNG06CA54C insures that GMAT development continue uninterrupted while GSFC negotiates the FDSS contract.
- B. Thinking Systems is the only contractor that can perform the work without a major schedule slip as they are the only contractor with experience in GMAT development. Training a new contractor in this effort is estimated at 4–6 months. See Section 11 of this JOFOC for a description of the actions being taken to avoid this situation in the future.
- C. The rates charged by Thinking Systems, Inc. were shown in the original JOFOC to be approximately \$[REDACTED]/yr **cheaper** than rates for multidisciplinary experts on GSFC's Mission Operations Mission Support (MOMS) and Multi-disciplinary Engineering and Technical Services (METS) contracts.
- D. The additional work contained in the NNG06CA54C extension SOW is within scope of the original SOW as it is a continuation of GMAT development.

## 6. Efforts made to ensure that offers are solicited from as many potential sources as is practicable.

March 26, 2009: An Intent to Sole Source Synopsis was posted on NAIS and Federal Business Opportunities website for 15 days. There were no responses to the posting as of April 13, 2009.

## 7. Determination of Fair and Reasonable Cost

Two sources were used to determine a fair and reasonable cost for this effort. The rates charged for similar services by [REDACTED] under the MOMS contract is approximately \$[REDACTED]/FTE. The rate charged for similar services under the METS contract is \$[REDACTED]/FTE. The rate charged by Thinking Systems, Inc. on past GMAT efforts is \$[REDACTED]/FTE. (Contracts: NNG04CI63P, S-67573-G, NNG04CC06P, S066617-G, S72833G) The rate charged by Thinking Systems, Inc. on the current GMAT effort is approximately \$[REDACTED]/FTE.

## 8. Description/Results of Market Research

Market research was not conducted. If NASA were to procure GMAT services from any other source for this limited timeframe, the combination of delay due to the competitive process and the time required by a new contractor to become acquainted with the work (phase-in) would cause substantial delay in fulfilling NASA's mission.

## 9. Other facts supporting the use of other than full and open competition

As further described in Section 11, there is an ongoing competitive procurement for the follow-on to this work (FDSS Procurement).

10. Sources, if any, that expressed, in writing, an interest in the acquisition in response to the synopsis.

In accordance with the requirements of FAR 5.203(a), a notice of NASA's intent to extend the period of performance by 3 months and 20 days was published March 26, 2009, through NAIS, to the electronic posting system and to the Federal Business Opportunities website. The minimum 15-day response period has elapsed. To date, there have been no responses to the announcement.

11. The actions the Agency may take to remove or overcome any barriers to competition before any subsequent acquisition for the supplies or services required:

It is important that the U.S. Government is not solely dependent upon Thinking Systems for GMAT services. We are taking action to ensure that in the future, all GMAT services are procured via a competitive procurement process.

- A. GSFC is currently working on negotiating a competitive Flight Dynamics Support Services (FDSS) contract. After the period of performance of NNG06CA54C, the FDSS contract will be used for future GMAT work.
- B. GSFC and Thinking Systems, Inc. are documenting the system so others can understand the design of GMAT. A significant portion of this task is to document GMAT so other developers can quickly understand the design of GMAT, and efficiently add to or modify the system.
- C. GSFC and Thinking Systems, Inc. are releasing GMAT under the NASA Open Source Agreement (NOSA). By releasing GMAT under NOSA, other contractors will be able to obtain and become familiar with the system, and ensure that in the future there are other sources that can efficiently provide services for the GMAT project.

CONTRACTING OFFICER'S      I certify that the facts presented in  
TECHNICAL REPRESENTATIVE this Justification are accurate and  
complete.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

CONTRACTING OFFICER:      I certify that this Justification is  
accurate and complete to the best of my  
knowledge and belief. In accordance with FAR  
6.303(a)(1), this certification also serves as  
approval of this Justification.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date